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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NATHANIEL OBLEANIS,

Plaintiff,

-against-

CREDITORS INTERCHANGE, INC.,

Defendant.
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REPORT AND
RECOMMENDATION
CV-05-2361 (ARR)

By Order dated June 23, 2005, I scheduled an initial conference in this action for October 6, 2005. Docket Entry 2. Neither side appeared.

On October 7, 2005, I entered an order noting that the court's records contain no indication that the complaint in this matter was ever served, and directing plaintiff to provide proof of service or show cause why this action should not be dismissed within 30 days upon pain of recommended dismissal for failure to prosecute. Docket Entry 3. Plaintiff has failed to respond in any way to my order of October 7, 2005.

I therefore respectfully recommend that this action be dismissed for failure to prosecute. Any objections to this report and recommendation must be filed with the Clerk of the Court, with copies provided to the Honorable Allyne R. Ross, within ten days of receipt and in any event no later than January 19, 2006. Failure to file timely objections may waive the right to appeal the District Court's order. See 28 U.S.C. §636(b) (1); Fed.R.Civ.P. 6(a), 6(e), 72; Small v. Secretary of Health and Human Services, 892 F.2d 14, 15 (2d Cir. 1989).

/s/
STEVEN M. GOLD
United States Magistrate Judge

Brooklyn, New York
January 3, 2006

SERVICE LIST:

Attorney for Plaintiff

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Woodmere, NY 11598

Defendant

Creditors Interchange, Inc.
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cc: Magistrate Judge Steven M. Gold